

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

Fleming, Joshua

Plaintiff
v.
Amtrak

Defendant(s)

Case Number: 22-cv-1336-SMY
(Clerk's Office will provide)

PRO SE CIVIL RIGHTS COMPLAINT
(Non-Prisoner)

I. JURISDICTION

Subject matter jurisdiction is invoked under 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), and/or 42 U.S.C. § 1983. List any additional bases for federal subject matter jurisdiction here:

II. PARTIES

Plaintiff:

A. Plaintiff, a citizen of United (state), who resides at Shawnee Correctional Center, alleges that his/her civil rights were violated by the individual(s) named below.

Defendant #1:

B. Defendant Amtrak Transportation Service is employed as
(a) (Name of First Defendant)
transporting citizens
(b) (Position/Title)

with N-A
(c) (Employer's Name and Address)

At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☒ No

If your answer is YES, briefly explain:

Airtrak + transportation Rvr. by government

Check one of the following:

☒ This defendant personally participated in causing my injury, and I want money damages.

☐ The policy or custom of this official's government agency violates my rights, and I seek injunctive relief (to stop or require someone to something).

Defendant #2:

C. Defendant N-A is employed as
(Name of Second Defendant)

N-A
(Position/Title)

with N-A
(Employer's Name and Address)

N-A

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☐ Yes ☐ No

If you answer is YES, briefly explain:

Check one of the following:

☒ This defendant personally participated in causing my injury, and I want money damages.

☐ The policy or custom of this official's government agency violates my rights, and I seek injunctive relief (to stop or require someone to something).

Defendant #3:

D. Defendant N-A is employed as
(Name of Third Defendant)

N-A
(Position/Title)

with N-A
(Employer's Name and Address)

N-A

At the time the claim(s) alleged in this complaint arose, was Defendant #3 employed by the state, local, or federal government? ☐ Yes ☐ No

If you answer is YES, briefly explain:

Check one of the following:

☐ This defendant **personally participated** in causing my injury, and I want **money damages**.

☐ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something).

Additional Defendant(s) (if any):

E. Using the outline set forth above, identify any additional Defendant(s), using additional pages, if necessary.

III. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in this federal court?

☐ Yes ☒ No

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline.

1. Parties to previous lawsuits:

Plaintiff(s): *N - A*

Defendant(s): *N - A*

2. Case number: *N - A*

3. Name of Judge to whom case was assigned: *N / A*

4. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?):

IV. STATEMENT OF CLAIM

State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege several related claims, number and set forth each claim in a separate paragraph.

To: WHOM

~~This~~ This may CONCERN. My Name is Joshua
Pleming. And I would like to be heard
And taken very serious Pertaining this matter,

On October-2-2019 I was walking with my Head
Phones on AS I kept walking I seen Rail Road track
Ahead of me. AS I was walking over the tracks I
was struck by a on coming train there was no
lights Blinking there wasn't a stop sign or any
thing to Alert me of a train passing by. there
was suppose to be guard Rails coming Down to
Prevent Civilians From Crossing, I was struck by
a Amtrak train. the Speed the train was doing was
60 mph And From the impact I was thrown 160 feet
I went to St. Louis University Hospital I was there
For 2 months, I was in a Coma For 9 Days And I had
9 Surgery's in the first 24 hours just so they can
save my life. I had my Femur crushed
I had my Ribs Broken
Arterie to my heart is being held by mesh to keep
it Functioning my Right Ankle was snapped
in half which is the Reason I had to go
to Rehab to learn how to walk Again,
I have Steel Rods in ~~my~~ my right side

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Can Find the rest of my INJURY in my medical RECORDS
if you Accept this Suit I will Present them. Now
mentally this has Affected me very Badly I have night terrors
every night And I can't get the Rumbling Sound of the
train out of my mind. I am very Scared to cross streets
I don't think About the good Times Any more I bee Scared
to go to sleep because I Don't know if I will see
tomorrow, I Am Currently taking Mental Medication
I have black outs, And some times I Forget my own
Name. I wasn't gonna Persue this At First But then I
thought to myself that "the train that hit me Ruined
my life. this condition I am in is For life I would
Never be able to work or stand up very long. I need
more Surgeries And I need help. So can you please
Accept my Suit And guide me in the right direction
thank you And God Bless you. Yours Truly Joshua
Fleming

V. REQUEST FOR RELIEF (check as many boxes as appropriate)

Plaintiff requests that the court grant the following relief:

Compensatory damages in the amount of \$ Ten million.

Punitive damages in the amount of \$ _____.

An ordering requiring defendant(s) to:

Put a Fence up and No trespassing signs
up within the city limits to let civilians know
A declaration that: where to not cross

Other:

VI. JURY DEMAND (check one box below)

Plaintiff ☒ does or ☐ does not request a trial by jury.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: 5-31-22
(date)

6665 State Rt 144 E
Street Address

Vienna IL 62995
City, State, Zip

Joshua Fleming
Signature of Plaintiff
Joshua Fleming
Printed Name

Shua Fleming 508503
666 S State Rt 146 E
Sienna, IL 62995

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US POSTAGE and PITNEY BOWES

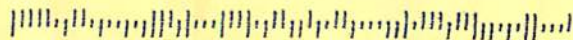


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Clerk of Court
United States District Court
Southern District of Illinois
750 Missouri Ave
E. St. Louis, IL 62201

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE